

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

Berggren Oy AB
P.O. Box 16
FIN-00101 Helsinki
Finland

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Rule 71.1)

Date of mailing
(day/month/year) 03-02-2005

Applicant's or agent's file reference
BP1007739

IMPORTANT NOTIFICATION

International application No.
PCT/FI2003/000763

International filing date (day/month/year)
15-10-2003

Priority date (day/month/year)
15-10-2002

Applicant
Nokia Corporation
et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see Also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/
Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM
Facsimile No. 08-887 72 88

Telex
17978
PATOREG-S

Authorized officer

Christina Wall

Telephone No. 08-782 25 00

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference BP107739/SVA/MM		FOR FURTHER ACTION See Form PCT/IPEA/416																	
International application No. PCT/FI 2003/000763		International filing date (day/month/year) 15.10.2003	Priority date (day/month/year) 15.10.2002																
International Patent Classification (IPC) or national classification and IPC H04L 12/56, H04Q 7/20																			
Applicant Nokia Corporation et al																			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <div style="margin-left: 40px;"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. </div> <p style="margin-left: 20px;">b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <table style="margin-left: 20px; border: none;"> <tr> <td><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>				<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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<input type="checkbox"/> Box No. VIII	Certain observations on the international application																		
Date of submission of the demand 05.05.2004		Date of completion of this report 25.01.2005																	
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88		Authorized officer Peder Gjervaldsaeter /OGU Telephone No. +46 8 782 25 00																	
Form PCT/IPEA/409 (cover sheet) (January 2004)																			

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI 2003/000763

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b)).
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished
pages* _____ as amended (together with any statement) under Article 19
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (specify): _____
☐ any table(s) related to the sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (specify): _____
☐ any table(s) related to the sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI 2003/000763

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-17</u>	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	<u>1-17</u>	NO
Industrial applicability (IA)	Claims	<u>1-17</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Prior-art

Reference is made to the following documents:

D1: WO 0158085 A1
D2: US 2002114279 A1
D3: WO 9825422 A1
D4: WO 02052800 A1

Document D1 describes a GSM/GPRS telecommunication system including an IP based BSS capable of supporting an IP protocol which enables a sending source to address several destinations using one address in a packet address field of a signal, eg multicast transmission or point-to-multipoint transmission. The sending source can be any of the devices in the telecommunication network, i.e. multicast messages are sent over the Gb-interface (see D1 Figure 2, page 5 line 30-page 6 line 14).

Document D2 describes another GSM/GPRS telecommunication system. The system communicates over the Gb-interface, where flow control is done on three different subjects, per BVC, per MS and per PFC. The flow control which controls the data flow per packet flow context (PFC) is introduced in addition to controlling the flow per mobile station and per BVC. The base station can then control the data flow with greater regard to the particular circumstances of each context. For example, the BSS may decrease the data flow with low priority or low guaranteed bit rate and delay, and at the same time increase the data flow with high priority or high guarantee bit rate and delay for the same mobile station (see paragraphs 007-0023).

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V.

1(2)

Documents D3-D4 represent the prior art. The claimed invention is not considered to be anticipated by these documents.

Statement of reason

The single general concept

The claimed invention aims at solving a problem relating to missing standardization for the communication over the GERAN Gb interface for multicast services, i.e. to provide an addressing mechanism for routing multicast data over the Gb interface between the SGSN and BSS and to control the flow for multicast data. The problems are solved by transferring multicast data over the Gb interface by utilizing a packet flow context.

Claim 1, 10 and 17

The method, system and device according to your claims 1, 10 and 17 differs from closest prior art document D1 in that a packet flow context (PFC) and identifier is associated to at least one multicast service when transferring multicast data over the Gb interface.

The packet flow context associated to at least one multicast service relate to a flow control mechanism for multicast services. Since, the bit rate for multicast services may be high and varying the multicast services can cause problems for other traffic delivered by the BSS, see your application page 4 lines 18-20.

However, a person skilled in the art facing this problem would find a solution in D2. From document D2 is it previously known to control the flow for a service over the Gb interface by means of a packet flow context (PFC). The introduction of the packet flow context makes it possible to control the bit rate for each PFC to a mobile station.

Since D1 and D2 both relate to the same technical field and no unexpected effect is obtained the combination of what is known from D1 and D2 is considered obvious for a person skilled in the art. The invention claimed in claims 1, 10 and 17 is thus not considered to involve an inventive step.

.../...

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V.

2(2)

Claims 2-9 and 11-16

The method and system according to your claims 2-9 and 11-16 are considered as constructional details which are considered obvious for a person skilled in the art.

To sum up: What is claimed in claims 1-17 is novel and comprises industrial applicability but is not considered to involve an inventive step.